

**REMARKS**

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 13 and 14 have been canceled without prejudice or disclaimer.

Applicant acknowledges with appreciation the indication that claims 1-5 and 11 are allowed and that claims 6-10 and 12 contain allowable subject matter.

Claims 6-10 and 12 were rejected under 35 U.S.C. Section 101 as allegedly being directed to non-statutory subject matter. Claim 6 has been amended to recite that the system is implemented on a computer apparatus. This clarifies that claim 6, and hence also claims 7-10 and 12 by virtue of their dependency on claim 6, define hardware and so fall within the statutory category of patentable subject matter under 35 U.S.C. 101 of a "machine".

The detailed description describes on page 4, line 11 onwards "one form of virus detection system 10 embodying the invention which may be incorporated into a virus scanning engine". The virus detection system 10 is described as including a file-type analyser 30, a compiler analyser 40, an instruction analyser 60, a frequency distribution checker 70 and a database 80. The processing of data performed by the virus detection system 10 is described. The skilled person reading the description readily recognizes and understands that such operations are performed by a hardware computer apparatus, and the description discloses the effect of the operations during execution thereof, that is the specific processing of data which is performed. Thus the skilled person reading the

: SHIPP, A.

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application is presented with a disclosure of operations performed by a hardware computer apparatus.

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



Michael J. Shea  
Reg. No. 34,725

MJS:mjs  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100